

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : PIVIDORI Luca
Application : 10/661,104
Filed on : September 12, 2003
For : PROCESS FOR CONTACT OPENING DEFINITION FOR
ACTIVE ELEMENT ELECTRICAL CONNECTIONS

Group Art Unit: 2823

Examiner: M. Estrada

37 C.F.R. § 1.131 DECLARATION

I, Enrico Mittler, hereby declare that:

1. I am a patent attorney with the firm of Mittler & C., and I prepared European Patent Application No. 02425558.0, which was filed on September 12, 2003, from which U.S. Application No. 10/661,104, filed on September 12, 2003 ("the claimed invention") claims priority.

2. The Examiner for the above-referenced application rejected claims 1, 6-13 and 16-19 under 35 U.S.C. § 102(e) as being anticipated by Liu et al. (U.S. Patent Application Publication No. 2004/0048468). Claims 2-5, 12, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Applicant's Admitted Prior Art.

3. As evidence of the conception of the claimed invention attached hereto is a true and correct copy of a letter from the assignee of the present invention dated July 8, 2002, which is Exhibit A. I am also attaching as Exhibit B a true and correct translation of the Italian-language portions thereof, which is described in detail below.

4. The letter from the assignee was received in our office on July 11, 2002. Attached to the letter is a confidential seven-page Patent Proposal that identifies the inventor on the first page, and it has at the top of the second page the date of

conception of the invention, which is January 10, 2002. Set forth on the third, fourth and fifth page is the invention disclosure, which is followed by figures showing the invention.

5. In summary, the claimed invention was conceived by the inventor prior to the filing date of the Patent Application Publication No. 2004/0048468.

6. I further declare that the accompany translation of the letter from the assignee and the pages of description from the inventor from Italian into English was prepared by my and is a true and correct translation.

7. I reviewed Applicant's invention disclosure and all the other documents provided by the Applicant in August 2002. I drafted a first complete Italian draft of the above-identified patent application, with specification and drawings, and sent it to the Applicant on August 27, 2002. Applicant reviewed the first draft and made comments. I revised the first draft of the above-identified patent application on the base of the afore-mentioned comments and sent a second draft to the Applicant. Upon reception of Applicant's approval I prepared formal drawings, an Italian-to-English translation of the above identified draft and the due forms for filing. I filed the European patent application on September 12, 2002, that is just two months and two days after our office received the request to prepare this patent application.

8. All statements made herein of my own knowledge are true and all statements made on information and belief to be true; and further, that these statements were made with the knowledge that the making of willful false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing based theron.

August 3, 2006
Date



Enrico Mittler

Enclosures:

Exhibits A, B